REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claim 9 has been amended to recite that the support member is formed of a nonwoven fabric. Claims 9 and 18 have further been amended to specify that the nonwoven fabric is formed of polyester fibers containing 30% by weight or more of a polyester fiber having the specified characteristics. Support for this amendment is found in claim 10.

The foregoing amendments are made in response to the rejection of claims 9-11 and 17-18 under 35 USC 112, second paragraph, on the basis of definiteness. The foregoing amendments are submitted in an effort to further define the structure and composition of the claimed invention. Nevertheless, the heart of the present invention is in the recited physical characteristics, especially the mean breaking length at an elongation of 5% of the nonwoven fabric. See page 9, line 8 to page 10, line 9 of the specification.

In summary, it is respectfully submitted that the claims, particularly as amended, do set forth an appropriate description of structure by which a comparison with the prior art can be made. Moreover, those practicing in this field would be able to determine if their products infringe without undue experimentation by testing their support member for the claimed characteristics.

Accordingly, reconsideration and withdrawal of this ground of rejection is respectfully solicited.

Claims 9-11 and 17-18 were further rejected under 35 USC 103 as unpatentable over Shinjou et al., U.S. 4,795,559. This ground of rejection is respectfully traversed.

There is no description in Shinjou et al. about the fiber feature of its breaking length at an elongation of 5%. But, Shinjou et al. describes tensile strength and elongation. The breaking length of a fiber at an elongation of 5% is calculated by multiplying its breaking length by 0.5, because the stress (S)-strain (S) curve pattern of polyester nonwoven fabrics is well known, and

its breaking length at an elongation of 5% is about ½ value of its stress of 15-25% elongation close to its breaking length.

Table 1

	weight (g/m2)	tensile strength (kgf/15mm)	elongation (%)	breaking length *1) (calculated)(km)	breaking length at an elongation of 5% (estimated value) (km)
Example 1	170	15	15	5.88	2.95
Example 2	170	18	26	7.06	3.53
Example 3	170	15	15	5.89	2.95
Example 4	170	12	24	4.71	2.36

*1) (breaking length) (km)= (tensile strength) (kgf)/(width of specimen (mm)*weight of specimen (g/m2)*1000. For Example 1, (15)/(170*15)*1000=5.88

As clearly shown in the above Table, the breaking length of the Shinjou et al. fibers at an elongation of 5% is completely below the lower limit of 4.0 km or more of the claimed invention. Therefore, it is apparent that the configuration stability of the claimed invention is much greater compared with Shinjou et al.

The Shinjou et al. fibers are similar to the comparative fibers described in Comparative Examples 1-7 in the specification. The present application demonstrates the superior features of the claimed invention over conventional fabrics like Shinjou et al. See pages 28-46 of the specification.

The claimed invention is patentable over the prior art because the prior art fails to disclose or suggest that the breakage length of a fiber at 5% elongation is a critical parameter. *In re Antonie*, 195 USPQ 6 (CCPA 1977). See also MPEP 2144.05.

In view of the foregoing, it is believed that each ground of rejection set forth in the Official Action have been overcome, and that the application is now in condition for allowance.

Respectfully submitted,

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